

**Guardians and orphans** the state of Maryland, in such penalty, and with such sureties, as the court shall approve; and the said bond shall be recorded, and be subject to be put in suit, and be in all respects on a footing with the bond given by an executor or administrator; and the form of the condition of it shall be as follows: 'The condition of the above obligation is such, that if the above bounden ———, as guardian to ———, of ——— county, shall faithfully account with the orphans court of ——— county, as directed by law, for the management of the property and estate of the orphan under his care, and shall also deliver up the said property agreeably to the order of the said court, or the directions of law, and shall in all respects perform the duty of guardian to the said ———, according to law, then the above obligation shall cease; it shall otherwise remain in full force and virtue in law.'

By 1831, ch. 315, the bonds of executors and guardians answerable for sale of real estate.

SEC. 5. On a guardian's executing such bond, the court shall have power to order the land, distributive share, or other property belonging to such orphan, to be delivered to such guardian immediately, or at such time as shall appear reasonable; in the case of a legacy or bequest, the court shall direct the delivery as soon as it shall appear that the same may be delivered without prejudice to the person administering; and in the case of a distributive share, the court shall direct the delivery as soon as the same shall be ascertained; and on failure of any former guardian appointed by the court, or of an executor or administrator, to comply with such order, his bond may be put in suit, and he may also be attached for contempt, and fined not exceeding three hundred dollars aforesaid; and the court shall have power to call on any guardian for new security, and on failure, may appoint a new guardian.

SEC. 6. Every guardian appointed by the court, having the care of a real estate, shall, within three months after executing his bond, procure the said estate to be viewed and reported on by two skilful discreet persons, not related to either party, and appointed by the orphans court, which two persons, before they proceed to act, shall swear, or affirm, as the case may be, before some judge or justice, that they will appraise the same without favour or prejudice, and to the best of their skill and judgment; and it shall be the duty of the appraisers to examine the estate, and estimate the annual value thereof, including any slaves, working beasts and stock, and utensils thereon belonging to the orphan, and proper to be leased with the land; they shall likewise set down, in writing, what dwelling-houses, out-houses, orchards, gardens, meadows, enclosures, and other improvements, are on the land, and the condition thereof, and what pro-